

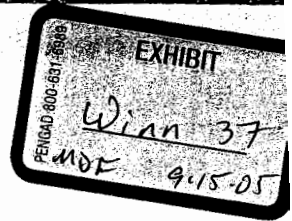
## **EXHIBIT 38**



U.S. Department of Justice

Federal Bureau of Prisons

*Federal Medical Center, Devens*



P.O. Box 830  
Ayer, MA 01432

March 21, 2003

Samuel Rizzitelli, Jr.  
26 Prindle Avenue  
Derby, CT 06418

Dear Mr. Rizzitelli:

Your client, Ms. Colleen O'Donnell, contacted her supervisor, Steve Gagnon, Inmate Systems Manager, on Thursday, March 20, 2003, about returning to work on Monday, March 24, 2003. Mr. Gagnon explained to her that he could not answer her questions about her request to return to work on Monday, as he understood she was represented by an attorney.

As you are aware I have offered to continue to accommodate Ms. O'Donnell's personal situation as outlined in my letter dated March 6, 2003. I received your letter, dated March 10, 2003, however, to this date you have not yet advised me as to whether your client wants to accept this personal accommodation or still requires it.

In accordance with the most current letter from Dr. George Milowe, dated January 31, 2003, it is his opinion that Ms. O'Donnell is unable to work in the same environment as her alleged assailant. Since the situation has not changed, in order for your client to return to work at FMC Devens, Ms. O'Donnell must provide an updated letter from her physician stating her medical status and in detail, any limitations and restrictions, before a determination can be made.

I look forward to hearing from you soon regarding this matter.

Sincerely,

David L. Winn  
Warden

cc: Colleen O'Donnell

fax 3-21-03  
fed exp 8350 1040 521 BOP0080